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Proposed Attorneys for the Debtors and  
Debtors in Possession

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION

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In re:	:	Chapter 11
	:	
Greenbrier Hotel Corporation, <u>et al.</u> ,	:	Case No. 09-_____ (___)
	:	
Debtors.	:	(Joint Administration Pending)
----- X		

**MOTION OF THE DEBTORS, PURSUANT TO BANKRUPTCY CODE SECTION 105(A)  
AND LOCAL BANKRUPTCY RULES 9013-1(M) AND (N), FOR AN ORDER  
SETTING AN EXPEDITED HEARING ON "FIRST DAY PLEADINGS"  
AND FOR RELATED RELIEF**

The debtors and debtors in possession in the above-captioned cases (collectively, the "**Debtors**"),<sup>1</sup> hereby move (the "**Motion**") for entry of an order substantially in the form attached hereto, pursuant to section 105(a) of Title 11 of the United States Code (the "**Bankruptcy Code**") and Rules 9013-1(M) and (N) of the Local Bankruptcy Rules for the

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<sup>1</sup> The last four digits of the Debtors' taxpayer identification numbers are: (i) Greenbrier Hotel Corporation (2133); (ii) The Greenbrier Resort and Club Management Company (8589); (iii) Greenbrier IA, Inc. (6471); (iv) The Old White Development Company (3021); (v) Old White Club Corporation (0031); and (vi) Greenbrier Golf and Tennis Club Corporation (0033). Each of the Debtors has a mailing address of 300 W. Main Street, White Sulphur Springs, WV 24986-2075.

United States Bankruptcy Court for the Eastern District of Virginia (the “**Local Bankruptcy Rules**”), setting an expedited hearing at the Court’s earliest convenience on the Debtors’ “first day” motions and applications (collectively, the “**First Day Pleadings**”) set forth on the First Day Agenda (as defined below) and deeming the Debtors’ notice of the First Day Hearing as set forth herein to be adequate and appropriate notice under the circumstances. In support of the Motion, the Debtors rely upon the Affidavit of Michael McGovern, Chief Financial Officer of Greenbrier Hotel Corporation, in Support of Chapter 11 Petitions and First Day Pleadings (the “**McGovern Affidavit**”), filed concurrently herewith and fully incorporated herein by reference.<sup>2</sup> In further support of the Motion, the Debtors respectfully represent:

### **JURISDICTION AND VENUE**

1. The Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334. This matter is a core proceeding within the meaning of 28 U.S.C. § 157(b)(2). Venue is proper pursuant to 28 U.S.C. §§ 1408 and 1409.
2. The statutory predicates for the relief requested herein are section 105(a) of the Bankruptcy Code and Local Bankruptcy Rules 9013-1(M) and (N).

### **BACKGROUND**

3. On the date hereof (the “**Petition Date**”), the Debtors filed voluntary petitions in this Court for relief under chapter 11 of the Bankruptcy Code. The factual background regarding the Debtors, including their business operations, their capital and debt structure, and the events leading to the filing of these bankruptcy cases, is set forth in detail in the McGovern Affidavit.

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<sup>2</sup> Capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the McGovern Affidavit.

4. The Debtors continue to operate their businesses as debtors in possession pursuant to sections 1107 and 1108 of the Bankruptcy Code.

5. No trustee or examiner has been appointed in these chapter 11 cases, and no committees have yet been appointed or designated.

### **RELIEF REQUESTED**

6. On the Petition Date, the Debtors filed the First Day Pleadings to be heard by this Court on an expedited basis. Prompt entry of the relief requested in the First Day Pleadings is critical to maintaining the Debtors' ongoing operations and the value of their bankruptcy estates. Accordingly, by this Motion, the Debtors seek this Court's entry of an order setting an expedited First Day hearing for Thursday, March 19, 2009 at 1:00 p.m. prevailing Eastern Time (the "**First Day Hearing**") or as soon thereafter as counsel may be heard, to consider the First Day Pleadings described on the proposed Agenda of Matters Scheduled for Hearing on Thursday, March 19, 2009 at 1:00 p.m. prevailing Eastern Time, a copy of which is annexed as Exhibit 1 to the Order (the "**First Day Agenda**"), and deeming the Debtors' Notice of Bankruptcy Filing and Debtors' Presentation of Motions and Applications to the Court for Consideration, a copy of which is annexed as Exhibit 2 to the Order (the "**First Day Notice**") to be adequate and appropriate notice under the circumstances. The Debtors further request that the requirement of filing a written response to the First Day Pleadings be waived.

### **BASIS FOR RELIEF**

7. Local Bankruptcy Rule 9013-1 allows the setting of a hearing on an expedited basis as requested herein. Attached hereto as Exhibit A is the certification required under Local Rule 9013-1(N). An expedited hearing on the First Day Pleadings is appropriate under these circumstances and is consistent with past practices in virtually every substantial chapter 11 case,

where various relief is required at the outset of the case to ensure a smooth transition into chapter 11.

8. Additionally, section 105(a) of the Bankruptcy Code provides this Court with the power to set an expedited First Day Hearing on the First Day Pleadings. Section 105(a) states that a bankruptcy court “may issue any order, process, or judgment that is necessary or appropriate to carry out the provisions of [the Bankruptcy Code].” 11 U.S.C. § 105(a).

9. The relief sought in the First Day Pleadings is essential to avoid substantial disruption and irreparable harm to the normal operations of the Debtors’ businesses. Moreover, expedited consideration of first day motions was granted by this Court in several previous chapter 11 cases. See, e.g., In re S & K Famous Brands, Inc., Case No. 09-30805 (KRH) (Bankr. E.D. Va. Feb. 10, 2009); In re Chesapeake Corporation, Case No. 08-36642 (DOT) (Bankr. E.D. Va. Dec. 30, 2008); In re LandAmerica Financial Group Inc., Case No. 08-35994 (KRH) (Bankr. E.D. Va. Nov. 26, 2008); In re Circuit City Stores, Inc., Case No. 08-35653 (KRH) (Bankr. E.D. Va. Nov. 10, 2008); In re Movie Gallery, Inc., Case No. 07-33849 (SSM) (Bankr. E.D. Va. Oct. 16, 2007).

### **NOTICE**

10. Notice of this Motion will be given to: (i) the office of the United States Trustee for the Eastern District of Virginia; (ii) counsel to CSX Corporation; (iii) the United States Attorney for the Eastern District of Virginia; (iv) the Internal Revenue Service; and (v) the Debtors’ top twenty (20) largest unsecured creditors on a consolidated basis. The Debtors submit that, under the circumstances, no other or further notice of the Motion is required.

### **WAIVER OF MEMORANDUM OF LAW**

11. Pursuant to Local Bankruptcy Rule 9013-1(G), and because there are no novel issues of law presented in the Motion and all applicable authority is set forth in the Motion, the

Debtors request that the requirement that all motions be accompanied by a separate memorandum of law be waived.

**NO PRIOR REQUEST**

12. No previous request for the relief sought herein has been made to this Court or any other court.

**CONCLUSION**

WHEREFORE, the Debtors respectfully request that the Court enter an order, substantially in the form attached as Exhibit B, granting the relief requested in the Motion and such other and further relief as may be just and proper.

Dated: March 19, 2009  
Richmond, Virginia

Respectfully submitted,

/s/ Dion W. Hayes  
Dion W. Hayes (VSB No. 34304)  
Patrick L. Hayden (VSB No. 30351)  
McGUIREWOODS LLP  
One James Center  
901 East Cary Street  
Richmond, Virginia 23219-4030  
(804) 775-1000

Proposed Attorneys for Debtors and  
Debtors in Possession

**EXHIBIT A**

(Certification)

Dion W. Hayes (VSB No. 34304)  
Patrick L. Hayden (VSB No. 30351)  
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Proposed Attorneys for the Debtors and  
Debtors in Possession

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION

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In re:	:	Chapter 11
	:	
Greenbrier Hotel Corporation, <u>et al.</u> ,	:	Case No. 09-_____ (___)
	:	
Debtors.	:	(Joint Administration Pending)
----- X		

**CERTIFICATION FOR EXPEDITED HEARING**

The debtors and debtors in possession in the above-captioned cases (collectively, the “**Debtors**”) contemporaneously herewith are filing, (a) the Motion of the Debtors for an Order Setting an Expedited Hearing on “First Day Pleadings” and for Related Relief (the “**Motion to Expedite**”)¹ and (b) the First Day Pleadings. In support thereof, and as required by Rule 9013-1 (N) of the Local Bankruptcy Rules of the United States Bankruptcy Court for the Eastern District of Virginia, the undersigned hereby certifies as follows:

1. I am a member of the Bar of this Court, I have carefully examined these matters, and there is a true necessity for an emergency hearing.

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¹ Capitalized terms not otherwise defined herein shall have the meanings ascribed to such terms in the Motion to Expedite.

2. The necessity for this emergency hearing has not been caused by any lack of due diligence on my part, but has been brought about only by the circumstances of the Debtors' chapter 11 cases.

3. Based upon the nature of the matters and the relief requested in the Motion to Expedite, no *bona fide* effort to resolve these matters without a hearing is possible.

/s/ Dion W. Hayes  
Dion W. Hayes (VSB No. 34304)  
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One James Center  
901 East Cary Street  
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**EXHIBIT B**

(Proposed Order)

Dion W. Hayes (VSB No. 34304)  
Patrick L. Hayden (VSB No. 30351)  
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Proposed Attorneys for the Debtors and  
Debtors in Possession

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION

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In re:	:	Chapter 11
	:	
Greenbrier Hotel Corporation, <u>et al.</u> ,	:	Case No. 09-_____ (___)
	:	
Debtors.	:	(Joint Administration Pending)
-----X	:	

**ORDER SETTING AN EXPEDITED HEARING ON “FIRST DAY  
PLEADINGS” AND FOR RELATED RELIEF**

Upon the motion (the “**Motion**”)<sup>1</sup> of the Debtors for an order, pursuant to section 105(a) of the Bankruptcy Code and Rule 9013-1(M) and (N) of the Local Bankruptcy Rules for the United States Bankruptcy Court for the Eastern District of Virginia (the “**Local Bankruptcy Rules**”), requesting the Court to schedule an expedited hearing at the Court’s earliest convenience on the Debtors’ “first day” motions and applications and deeming the Debtors’ notice of the First Day Hearing as set forth herein to be adequate and appropriate notice under the circumstances; and the Court having reviewed the Motion, the McGovern Affidavit and Local Rule Certification for Expedited Hearing; and the Court having determined that the relief

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<sup>1</sup> Capitalized terms not otherwise defined herein shall have the meanings ascribed to such terms in the Motion.

requested in the Motion is in the best interests of the Debtors, their estates, their creditors, and other parties in interest; and it appearing that proper and adequate notice of the Motion has been given and that no other or further notice is necessary; and upon the record herein; and after due deliberation thereon; and good and sufficient cause appearing therefor, it is hereby:

**ORDERED, ADJUDGED AND DECREED that:**

1. The Motion is **GRANTED**.
2. A hearing will be held on March 19, 2009 at 1:00 p.m., prevailing Eastern Time (the "**First Day Hearing**"), to hear and consider the "first day" motions and applications listed on the proposed agenda attached hereto as Exhibit 1 (collectively, the "**First Day Pleadings**").
3. The form of the Notice of Bankruptcy Filing and Debtor's Presentation of Motions and Applications to the Court for Consideration attached hereto as Exhibit 2 (the "**First Day Notice**") is hereby approved in all respects.
4. Service by facsimile or overnight delivery of the First Day Pleadings and related documents (including the First Day Notice) on: (a) the Office of the United States Trustee for the Eastern District of Virginia; (b) counsel to the Debtors' proposed debtor in possession lender; and (c) the Debtors' top twenty (20) largest unsecured creditors. Such notice is deemed to be adequate and sufficient.
5. The notice requirements of Local Bankruptcy Rule 9013-1(M) are hereby waived for the Motion and the other First Day Pleadings, subject to the Court's right, upon further consideration at the First Day Hearing, to require additional notice with respect to any particular First Day Pleading, other than this Motion.

6. Subject to the Debtors serving the First Day Pleadings in accordance with this Order, the requirements of Local Bankruptcy Rule 9022-1(B), (C) are hereby waived for the Motion and the other First Day Pleadings.

7. The requirement of filing a written response to the First Day Pleadings is waived.

8. A copy of this Order shall be separately docketed in each of the Debtors' chapter 11 cases.

9. The Debtors are authorized to take all actions necessary to effectuate the relief granted pursuant to this Order in accordance with the Motion.

10. The requirement under Local Bankruptcy Rule 9013-1(G) to file a memorandum of law in connection with the Motion is hereby waived.

11. The terms and conditions of this Order shall be immediately effective and enforceable upon its entry.

12. The Court retains jurisdiction with respect to all matters arising from or related to the implementation of this Order.

Dated: Richmond, Virginia  
March \_\_, 2009

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UNITED STATES BANKRUPTCY JUDGE

WE ASK FOR THIS:

/s/Dion W. Hayes  
Dion W. Hayes (VSB No. 34304)  
Patrick L. Hayden (VSB No. 30351)  
McGUIREWOODS LLP  
One James Center  
901 East Cary Street  
Richmond, Virginia 23219-4030  
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Proposed Attorneys for the Debtors and  
Debtors in Possession

**CERTIFICATION OF ENDORSEMENT UNDER LOCAL RULE 9022-1(C)**

I hereby certify that the foregoing proposed order has been endorsed by all necessary parties.

/s/ Dion W. Hayes  
Dion W. Hayes (VSB No. 34304)  
McGUIREWOODS LLP  
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901 East Cary Street  
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**EXHIBIT 1**

(Agenda of Matters)

Dion W. Hayes (VSB No. 34304)  
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Proposed Attorneys for the Debtors and  
Debtors in Possession

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION

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In re:	:	Chapter 11
	:	
Greenbrier Hotel Corporation, <u>et al.</u> ,	:	Case No. 09-_____ (___)
	:	
Debtors.	:	(Joint Administration Pending)
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**AGENDA OF MATTERS SCHEDULED FOR HEARING  
ON MARCH 19, 2009 AT 1:00 P.M.**

Set forth below are the matters scheduled to be heard before a United States Bankruptcy Judge, in the United States Bankruptcy Court for the Eastern District of Virginia, Spottswood W. Robinson III & Robert R. Merhige, Jr., U.S. Courthouse, Fifth Floor, 701 East Broad Street Richmond, Virginia 23219-1888, on March 19, 2009 beginning at 1:00 p.m. prevailing Eastern Time.

**A. INTRODUCTION**

Preliminary Remarks and Introduction

1. Affidavit of Michael McGovern, Chief Financial Officer of Greenbrier Hotel Corporation, in Support of Chapter 11 Petitions and First Day Pleadings (Docket No. \_\_\_\_).

**B. FIRST-DAY PLEADINGS**

1. Motion of the Debtors, Pursuant to Bankruptcy Code Section 105(a) and Local Bankruptcy Rule 9013-1(M), for an Order Setting an Expedited Hearing on "First Day Pleadings" and for Related Relief (Docket No. \_\_\_\_).
2. Motion for Order (I) Directing Joint Administration Pursuant to Bankruptcy Code Sections 105(a) and 302 and Bankruptcy Rule 1015(b), and (II) Waiving Requirements of Bankruptcy Code Section 342(c)(1) and Bankruptcy Rules 1005 and 2002(n) (Docket No. \_\_\_\_).
3. Motion of the Debtors for an Order Pursuant to Bankruptcy Code Sections 102 and 105(a), Bankruptcy Rules 2002 and 9007, and Local Bankruptcy Rules 2002-1 and 9013-1 Establishing Certain Notice, Case Management, and Administrative Procedures (Docket No. \_\_\_\_).
4. Motion of the Debtors for Entry of an Order Pursuant to Bankruptcy Code Sections 105(a), 342(a), and 521, Bankruptcy Rule 1007, and Local Bankruptcy Rule 1007-1, for Authority to Prepare a Consolidated List of the Debtors' Top Twenty (20) Largest Unsecured Creditors and a List of Creditors in Lieu of Submitting a Formatted Mailing Matrix (Docket No. \_\_\_\_).
5. Debtors' Motion for Administrative Order Pursuant to Bankruptcy Code Sections 105(a) and 331 Establishing Interim Compensation Procedures (Docket No. \_\_\_\_).
6. Application of the Debtors for Entry of an Order Pursuant to 28 U.S.C. § 156(c) and Bankruptcy Rule 2002(f) Approving Agreement with Kurtzman Carson Consultants LLC and Appointment as Claims, Noticing, and Balloting Agent (Docket No. \_\_\_\_).
7. Motion for Order: (A) Authorizing Continued Use of the Debtors' Centralized Cash Management System; (B) Authorizing Maintenance and Continued Use of the Debtor's Existing Bank and Investment Accounts and Business Forms; (C) Waiving Certain Operating Guidelines Relating to Bank Accounts; (D) Waiving the Requirements of Section 345 of the Bankruptcy Code; and (E) Granting Administrative Expense Status to Inter-Debtor Claims (Docket No. \_\_\_\_).
8. Motion for Order Pursuant to Sections 105(a), 363, 507(a), 541, 1107(a), and 1108 of the Bankruptcy Code and Bankruptcy Rule 6003: (I) Authorizing Debtors to Continue Utilizing Payroll Services Provided by Non-Debtor Affiliate; (II) Authorizing Debtors to Pay Certain Prepetition Wages, Compensation, and Employee Benefits; (III) Authorizing Debtors to Continue Certain Employee Benefits Programs in the Ordinary Course of Business; (IV) Authorizing Debtors to Pay Certain travel and Sales Agents' Commissions; and (V) Directing Banks to Honor Prepetition Checks for Payments of Prepetition Wage, Salary, and Benefits Obligations (Docket No. \_\_\_\_).



9. Motion of the Debtors for Order Pursuant to Bankruptcy Code Sections 105(a), 506(a), 507(a)(8), 541, and 1129 and Bankruptcy Rule 6003 Authorizing the Debtors to Pay Prepetition Sales, Use, Hotel Occupancy and Other Trust Fund Taxes and Related Obligations (Docket No. \_\_\_\_).
10. Motion of the Debtors for Order Pursuant to Bankruptcy Code Sections 105(a), 363, 364, 1107 and 1108, and Bankruptcy Rule 6003 Authorizing Debtors to Maintain Existing Insurance Arrangements, Pay Insurance Obligations, Including Certain Intercompany Obligations, and Enter Into or Renew Insurance Policies (Docket No. \_\_\_\_).
11. Motion of the Debtors for Entry of an Order (I) Authorizing the Debtors to Honor Certain Guest Programs and Prepetition Guest-Related Obligations and (II) Directing Banks to Honor Prepetition Checks for Payment of Such Obligations (Docket No. \_\_\_\_).
12. Motion of Debtors for Order under Bankruptcy Code Sections 105(a) and 366 (I) Approving Debtor's Adequate Assurance of Payment, (II) Establishing Procedures for Resolving Requests by Utility Companies for Additional Assurance of Payment, and (III) Scheduling a Hearing with Respect to Contested Adequate Assurance of Payment Requests (Docket No. \_\_\_\_).
13. Motion of the Debtors for Entry of an Order Pursuant to Bankruptcy Code Sections 105(a), 501, 502, 503, and 1111(a), Bankruptcy Rules 2002(a), 3003(c), and 5005(a), and Local Rules 2002-1 and 3003-1 (I) Establishing Bar Dates, and (II) Approving Form and Manner of (A) Notice of Commencement of Cases and (B) Notice of Bar Dates for Creditors to File Proofs of Claim (Docket No. \_\_\_\_).
14. Motion of the Debtors for Entry of Interim and Final Orders Pursuant to Bankruptcy Code Sections 105(a), 362, 363 and 364 and Bankruptcy Rules 2002 and 4001: (I) Authorizing Debtor to Obtain Postpetition Financing; and (II) Scheduling Interim and Final Hearings (Docket No. \_\_\_\_).
15. Motion of the Debtors Pursuant to Bankruptcy Code Sections 101(51D) and 1102(a)(3) for Determination that No Statutory Committee of Unsecured Creditors Should be Appointed (Docket No. \_\_\_\_).
16. Motion of the Debtors Pursuant to Bankruptcy Code Section 107(B)(1) and Bankruptcy Rule 9018 to File Under Seal Certain Documents Associated with Bankruptcy Code Section 1116 (Docket No. \_\_\_\_).

Dated: March \_\_, 2009  
Richmond, Virginia

Respectfully submitted,

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Dion W. Hayes (VSB No. 34304)  
Patrick L. Hayden (VSB No. 30351)  
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Proposed Attorneys for Debtors and  
Debtors in Possession

**EXHIBIT 2**

(Notice)

Dion W. Hayes (VSB No. 34304)  
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(804) 775-1000

Proposed Attorneys for the Debtors and  
Debtors in Possession

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION

----- x	
In re:	:
	:
Greenbrier Hotel Corporation, <u>et al.</u> ,	:
	:
Debtors.	:
----- x	

Chapter 11  
Case No. 09-\_\_\_\_\_ (\_\_\_\_)  
(Joint Administration Pending)

**NOTICE OF BANKRUPTCY FILING AND DEBTORS' PRESENTATION OF  
MOTIONS AND APPLICATIONS TO THE COURT FOR CONSIDERATION**

PLEASE TAKE NOTICE that on March 19, 2009, The Greenbrier Resort and Club Management Company, Greenbrier Hotel Corporation, Greenbrier IA, Inc., The Old White Development Company, Old White Club Corporation, and Greenbrier Golf and Tennis Corporation, the debtors and debtors-in-possession in the above-captioned cases (collectively, the "**Debtors**"), filed voluntary petitions for relief under chapter 11 of title 11 of the United States Code with the United States Bankruptcy Court for the Eastern District of Virginia (the "Bankruptcy Court").

PLEASE TAKE FURTHER NOTICE that the Debtors have requested that the first-day hearing in these cases (the "**First-Day Hearing**") be held on **March 19, 2009 at 1:00**

**p.m. (prevailing Eastern Time), in the United States Bankruptcy Court for the Eastern**

**District of Virginia, Spottswood W. Robinson III & Robert R. Merhige, Jr., U.S.**

**Courthouse, Fifth Floor, 701 East Broad Street Richmond, Virginia 23219-1888, to consider**

the following applications and motions:

1. Motion of the Debtors, Pursuant to Bankruptcy Code Section 105(a) and Local Bankruptcy Rule 9013-1(M), for an Order Setting an Expedited Hearing on "First Day Pleadings" and for Related Relief (Docket No. \_\_\_\_).
2. Motion for Order (I) Directing Joint Administration Pursuant to Bankruptcy Code Sections 105(a) and 302 and Bankruptcy Rule 1015(b), and (II) Waiving Requirements of Bankruptcy Code Section 342(c)(1) and Bankruptcy Rules 1005 and 2002(n) (Docket No. \_\_\_\_).
3. Motion of the Debtors for an Order Pursuant to Bankruptcy Code Sections 102 and 105(a), Bankruptcy Rules 2002 and 9007, and Local Bankruptcy Rules 2002-1 and 9013-1 Establishing Certain Notice, Case Management, and Administrative Procedures (Docket No. \_\_\_\_).
4. Motion of the Debtors for Entry of an Order Pursuant to Bankruptcy Code Sections 105(a), 342(a), and 521, Bankruptcy Rule 1007, and Local Bankruptcy Rule 1007-1, for Authority to Prepare a Consolidated List of the Debtors' Top Twenty (20) Largest Unsecured Creditors and a List of Creditors in Lieu of Submitting a Formatted Mailing Matrix (Docket No. \_\_\_\_).
5. Debtors' Motion for Administrative Order Pursuant to Bankruptcy Code Sections 105(a) and 331 Establishing Interim Compensation Procedures (Docket No. \_\_\_\_).
6. Application of the Debtors for Entry of an Order Pursuant to 28 U.S.C. § 156(c) and Bankruptcy Rule 2002(f) Approving Agreement with Kurtzman Carson Consultants LLC and Appointment as Claims, Noticing, and Balloting Agent (Docket No. \_\_\_\_).
7. Motion for Order: (A) Authorizing Continued Use of the Debtors' Centralized Cash Management System; (B) Authorizing Maintenance and Continued Use of the Debtor's Existing Bank and Investment Accounts and Business Forms; (C) Waiving Certain Operating Guidelines Relating to Bank Accounts; (D) Waiving the Requirements of Section 345 of the Bankruptcy Code; and (E) Granting Administrative Expense Status to Inter-Debtor Claims (Docket No. \_\_\_\_).
8. Motion for Order Pursuant to Sections 105(a), 363, 507(a), 541, 1107(a), and 1108 of the Bankruptcy Code and Bankruptcy Rule 6003: (I) Authorizing Debtors to Continue Utilizing Payroll Services Provided by Non-Debtor Affiliate; (II)

Authorizing Debtors to Pay Certain Prepetition Wages, Compensation, and Employee Benefits; (III) Authorizing Debtors to Continue Certain Employee Benefits Programs in the Ordinary Course of Business; (IV) Authorizing Debtors to Pay Certain travel and Sales Agents' Commissions; and (V) Directing Banks to Honor Prepetition Checks for Payments of Prepetition Wage, Salary, and Benefits Obligations (Docket No. \_\_\_\_).

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12. Motion of Debtors for Order under Bankruptcy Code Sections 105(a) and 366 (I) Approving Debtor's Adequate Assurance of Payment, (II) Establishing Procedures for Resolving Requests by Utility Companies for Additional Assurance of Payment, and (III) Scheduling a Hearing with Respect to Contested Adequate Assurance of Payment Requests (Docket No. \_\_\_\_).
13. Motion of the Debtors for Entry of an Order Pursuant to Bankruptcy Code Sections 105(a), 501, 502, 503, and 1111(a), Bankruptcy Rules 2002(a), 3003(c), and 5005(a), and Local Rules 2002-1 and 3003-1 (I) Establishing Bar Dates, and (II) Approving Form and Manner of (A) Notice of Commencement of Cases and (B) Notice of Bar Dates for Creditors to File Proofs of Claim (Docket No. \_\_\_\_).
14. Motion of the Debtors for Entry of Interim and Final Orders Pursuant to Bankruptcy Code Sections 105(a), 362, 363 and 364 and Bankruptcy Rules 2002 and 4001: (I) Authorizing Debtor to Obtain Postpetition Financing; and (II) Scheduling Interim and Final Hearings (Docket No. \_\_\_\_).
15. Motion of the Debtors Pursuant to Bankruptcy Code Sections 101(51D) and 1102(a)(3) for Determination that No Statutory Committee of Unsecured Creditors Should be Appointed (Docket No. \_\_\_\_).

16. Motion of the Debtors Pursuant to Bankruptcy Code Section 107(B)(1) and Bankruptcy Rule 9018 to File Under Seal Certain Documents Associated with Bankruptcy Code Section 1116 (Docket No. \_\_\_\_).

PLEASE TAKE FURTHER NOTICE that documents are immediately available through PACER on the court's website: <https://ecf.vaeb.uscourts.gov/cgi-bin/iquery.pl> or at the website Kurtzman Carson Consultants LLC at <https://www.kccllc.com/greenbrier>.

Dated: Richmond, Virginia

March \_\_, 2009

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V7037373